

January 8, 2009  
Milford Iowa Public Hearing

**Lynn Laws:** I'm Lynn Laws, I work for the Iowa Environmental Council, we're a nonprofit organization that works to protect natural resources in Iowa. We're located in Des Moines but we work throughout the entire state. And because I've lived and I've worked here in the Iowa Great Lakes area and vacationed here, I thought it was important tonight to address you regarding extreme importance in part of the Antidegradation Rules that proposed designates seven lakes and forty-six river and stream segments as Outstanding Iowa Waters. This designation will help protect and prevent further declines in water quality in these extremely important waters of Iowa. These water bodies, the Iowa Great Lakes and this area, the trout streams of Northeast Iowa, and all the other waters have been, that on the list for being proposed as Iowa, Outstanding Iowa Waters, were previously designated as high quality waters by the state. It's important to remember that with these new rules, the DNR is proposing to eliminate high quality water designations and instead provide them with a new Outstanding Iowa Waters designation available under the FCWA. This designation is important to ensure that Iowa can retain the economic and cultural benefits that these waters have historically brought to the people of Iowa. I think this is the very least we can expect of our government in the state of Iowa. What are the costs of protecting Outstanding Iowa Waters, a future cost example for the Outstanding Iowa Waters river streams would be if the town expands and needs to add more treatment capacity or new industry comes to town that would discharge new pollution to the river, where no new pollution is allowed. The DNR might work with them about placement of the facility, and alternative treatments that would not increase pollution. Since wastewater discharges are already prohibited from lakes, the economic impact of the lake Outstanding Iowa Waters designation would be less and would include the cost of obtaining individual permits for stormwater management like control of sediment losses from construction sites. Presumably, our clients with the requirements of these individual permits for Outstanding Iowa Waters would also be more costly because of more stringent requirements and it's true. In the future when communities expand, it won't be business as usual, communities will have to do more planning and possibly pay more for water treatment to keep our waters from getting more polluted. But it will cost the people of the state of Iowa a lot more if we do not keep these waters from further degradation. Let me repeat that, it will cost the people of Iowa a lot more if we don't keep these waters from being degraded further. And in this age of globalization and privatization of water resources in other areas of the globe, where water wars have already begun, how do you put a value on clean water for drinking? Tourism in the Iowa Great Lakes and in the trout streams in Northeast Iowa and clean water for drinking are assets that belong to the people of Iowa and must be protected. If the Iowa DNR should be persuaded by industry to conduct a cost study related to these new designations, I urge the Iowa DNR to also conduct a study of the economic and cultural losses the people of Iowa would incur should these waters become further degraded. There's a statement made that these rules deter growth, and I don't think that's true. I think they stimulate ingenuity. We didn't have to run out of stones to end the stone age, and move forward, we don't have to run out of clean water, we don't have to continue to degrade our water in the way we've done in the past. We're better, we're smarter, we're more creative than we were twenty years ago, we can do things better.

**Jane Lieb:** My name is Jane Lee and I'm president of the East Okoboji Lakes Improvement Corporation also known as EOLIC, it's much easier to say. EOLIC has been in existence for forty years working to protect, enhance and beautify the waters of East Okoboji, Upper Gar, Miniwashta, and Lower Gar Lakes, through promotion of watershed stewardship and education. I am speaking this evening on behalf of the board of directors of the EOLIC and our membership to express our support for strong antidegradation rules to protect all of the Iowa Great Lakes. The majority of our members own property on one of the four lakes we represent, fifty percent of our members are year round members who work and play in Dickinson County. Some of them including myself, have come to, or return to the lakes because they consider it a desirable retirement location. The other fifty percent of our members are season residents who reside most of the year in Minnesota, South Dakota, Nebraska, and elsewhere in Iowa, but come to the lakes to relax and recreate whenever possible. Because we all play in or on the water and own property on the water, we all have an economic stake in the water quality of the lakes. EOLIC has been working for forty years to reduce pollution of all kinds from leaching our lakes. Without them, these antidegradation rules is another important tool to help protect our waters. We encourage you to keep these rules strong, not watered down, we want to protect all the waters of Iowa. Thank you for your hard work in developing these rules and thank you for the opportunity to comment.

**Mel Berryhill:** My name is Mel Berryhill, I've been a license water supplier in Iowa for thirty years, twenty years here in the Lakes area, and for no reason other than the fact that the majority of the drinking water in Dickinson County comes out of the lakes, whether it be West Okoboji, Spirit, the majority of the water now, seeming the rural water systems are buying kickback and supplying the farm people with water. So the majority of the water in Dickinson County does come out of the Lakes area. Just a list of the few of these communities, it starts at Milford, West Okoboji, Wahpeton, Spirit Lake, Okoboji, these are all public water supplies that are supplied directly or indirectly out of the lake. To me that's a very important reason that the degradation is not continued in anyplace within the lakes area, whether it be with, we're getting a new wastewater plant here, it's a sixteen million dollar project because I understand we couldn't meet the standards so it was necessary to build a new wastewater plant so it was about twenty-five percent hike in your wastewater bill. But that's the way it is. If you're gonna be in the business of wastewater, or water, it takes a lot, the regulations that cover the water plants here in the lakes region, is way different than any of the groundwater places. Last I knew there was eighty-three mandatory tests that had to be taken to check for pesticides, herbicides, gasoline, fuel from boats, this kind of thing, in the twenty years I was involved in water production, the water got cleaner every year. And that's one of the reasons that we monitored the lakes area here, is to help DNR see what mainly needed to be done. But this nomination I think is very important the whole lakes region for a nomination for Tier 3. Cause there's, I don't remember the slide that was given in this presentation but it wasn't on the sheet, that says the qualification to be an Outstanding National Resource Water, quality must be maintained, degradation prohibited unless temporary and limited, examples, waters of exceptional recreational or ecological importance, national parks, state parks, wildlife refuges, none are proposed in these rules. So there's no Tier 3 places proposed in the rules now, and I really think the Lakes chain in the Great Lakes should be Tier 3. If you look at Chapter 61, and some people do look at Chapter 61, let me refer to that. The first part of Chapter 61, it lists a whole bunch of bodies of water that should be protected, and number 7 is the Iowa Great Lakes Chain in Dickinson County, including West Lake, Spirit

Lake, East Lake, Mini Washta Lake, Upper Gar Lake and Lower Gar. But they're on the list. Go down the list a little further and it says, this is in addition to all the lists of the names of the bodies of water, it states, standards and restrictions more stringent than those applied to other waters may be applied by the commission to those waters listed below when it is determined that such more stringent standards or restrictions are necessary to fully maintain water quality of existing levels and one lake listed under that rule and it's West Lake Okoboji. That's been in the books for years. And I really don't think it's got the attention that it should, and again, I think the tier system, whatever you call it, it could be high quality water, high quality resource tier one, tier three, tier two and a half, I really think that, I don't think there'd be anybody here who would argue with me that the Great Lakes in Iowa should be a Tier 3 facility situation and that's the main reason I'm here.

**John Wills:** I'm John Wills, I'm from Rock Rapids, Iowa, first of all, I want to say that I support the rule. I also want to nominate the Iowa Great Lakes as an Outstanding Water Body of the Nation. And one of the criteria is that the water, I'm not going to be as sophisticated as everybody else so you'll have to forgive me, but one of the criteria is that it has to have national significance. And well that can be argued, it's a small body of water, and regionally significant to be sure, however, how many people do you know that come here from California? New Jersey? And I could list eight or nine people right now, of people coming here from all over the country. A few years ago I was in Italy and what did I see? University of Okoboji T-shirt. So they are important, significant to our nation. And I want to make sure that that's known.

**Jane Shuttleworth:** Hi my name is Jane Shuttleworth, I'm Sioux and Okoboji and other things, but one of the things that's most important, anyway one of the most important aspects to me about water, about this antidegradation rules is that it will create a mechanism for us to communicate with each other the way water flows rather than political boundaries divide us. And so it will provide a way for, in other words, it will provide a way for different parties to communicate about something that's going to water. And I think that that will save money in the long run and we'll come up with more opportunities to discuss and evaluate alternatives. And this isn't a new idea in 1968 the National Environmental Policy Act was passed and that created a mechanism to evaluate social economic and ecological impacts of any project that had federal funding. That meant doing Environmental Impact Statements, and I've worked in the past as an Environmental Planner and it's a way of bringing everybody to the table and discussing what everybody's concerns are, and you come up with a range of alternatives, and then you can come up with a solution that you can rule out certain things and come up with a better idea. So that's one of the main reasons I support this rule, it creates a way for people to communicate. And that might live in different jurisdictional areas and across political boundaries. And then second thing is that I wrote a letter in July asking that all of the lakes in Dickinson County be considered Outstanding Waters, Iowa Waters, and that West Okoboji be considered Outstanding National Waters, it truly is a unique body of water because of its watershed characteristics and the sources of its water supply being so driven by groundwater. I don't know what happened but I never heard back about that. But I would even dare to venture that all lakes in Iowa should be considered Outstanding Iowa Waters because of their importance in economic development as well as sources for recreation and wildlife and I think we really need to take this, to be more proactive in protecting our water resources.

**Howard Paul:** My name is Howard Paul from Spirit Lake and I just noticed that Center Lake and Silver Lake are two lakes that are not part of the Iowa Outstanding Waters and I'd like to nominate those two bodies of water. I know that Center Lake is well over forty or fifty acres, I don't know how large Silver Lake is, but I think that they're of economic importance to the state of Iowa as well. And if it goes to Tier 3, we would like for those two bodies to join as well.